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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,771	01/09/2002	Stuart Hall	10020244-1	6940

7590 09/08/2003

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P.O. Box 7599
Loveland, CO 80537-0599

EXAMINER

SUN, XIUQIN

ART UNIT	PAPER NUMBER
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2863

DATE MAILED: 09/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/042,771

Applicant(s)

HALL, STUART

Examiner

Xiuqin Sun

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander et al. (U.S. Pat. No. 5953009) in view of Jones (U.S. Pat. No. 5258748) and Horvitz et al. (U.S. Pat. No. 6021403).

As per claim 1, Alexander et al. teach an apparatus comprising: a measurement device for receiving one or more input signals and generating measurement information related to said input signals (Abstract; Figs. 1 and 2; col. 7, lines 3-23, lines 58-67 and col. 8, lines 1-45); a display coupled with the measurement device for displaying the measurement information (Abstract; Figs. 3A-3H; col. 8, lines 9-21 and col. 9, lines 49-68 and col. 10, lines 1-3); a control panel having a plurality of keys each coupled with the measurement device for controlling a respective operation of the measurement device (Abstract; Fig. 1; col. 1, lines 66-67 and col. 2, lines 1-22).

Alexander et al. do not disclose: a timer function coupled with a control panel for sensing duration of key activation during which a user activates a key of the plurality of keys of the control panel; and a controller coupled with the control panel and the timer function for initiating the respective operation of the measurement device in response to each key activation, when the duration of key activation is less than a predetermined amount of time; wherein the controller is coupled with the display for displaying help screen information in context of the respective operation of the measurement device in response to each key activation, when the duration of key activation is greater than the predetermined amount of time.

Jones teaches: a timer function coupled with a control panel for sensing duration of key activation during which a user activates a key of the plurality of keys of the

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control panel (Abstract; col. 1, lines 61-68, col. 2, lines 1-10; col. 3, lines 13-68 and col. 4, lines 1-33); and a controller coupled with the control panel and the timer function for initiating the respective operation of the measurement device in response to each key activation, when the duration of key activation is less than a predetermined amount of time; wherein the controller is coupled with the display for displaying a set of menu labels and assign a function associated with a displayed menu label to a menu key, when the duration of key activation is greater than the predetermined amount of time (Abstract; Figs. 1 and 3; col. 1, lines 61-68; col. 2, lines 1-10, lines 35-51; col. 3, lines 13-68 and col. 4, lines 1-33).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include the teachings of Jones in the invention of Alexander et al. in order to provide an improved control panel for accessing and selecting among multiple key functions with a minimum of keystrokes (Jones, Abstract).

Horvitz et al. teach a system and method for displaying help information for use with a software program using a graphical user interface (col. 7, lines 20-47; col. 9, lines 19-28; col. 11, lines 16-25; col. 14, lines 27-32; col. 15, lines 40-49 and col. 26, lines 56-67). The system of Horvitz et al., which monitors user inputs, offers help when it determines that help is needed (col. 11, lines 12-25).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include the teachings of Horvitz et al. in the combination of Alexander et al. and Jones by coupling Horvitz's help-screen displaying function to Jones' multi-key function controller in order to provide a system that can continually

check for user competencies and based on such competencies, change the assistance that is offered (Horvitz et al., Abstract).

As per claim 3, Alexander et al. teach the receiving, generating and displaying steps (Abstract; Figs. 1, 2, 3A-3H; col. 7, lines 3-23, lines 58-67; col. 8, lines 9-21 and col. 9, lines 49-68 and col. 10, lines 1-3).

Alexander et al. do not disclose: controlling a respective operation of the measurement device using a control panel having a plurality of keys each coupled with the measurement device; sensing duration of key activation during which a user activates a key of the plurality of the keys of the control panel when the duration of key activation is less than a predetermined amount of time; and displaying help screen information in context of the respective operation of the measurement device in response to each key activation, when the duration of key activation is greater than the predetermined amount of time.

Jones teaches: controlling a respective operation of the measurement device using a control panel having a plurality of keys each coupled with the measurement device; sensing duration of key activation during which a user activates a key of the plurality of the keys of the control panel when the duration of key activation is less than a predetermined amount of time (Abstract; Figs. 1-3; col. 1, lines 61-68, col. 2, lines 1-10, lines 35-51; col. 3, lines 13-68 and col. 4, lines 1-33); and displaying a set of menu labels and assign a function associated with a displayed menu label to a menu key, when the duration of key activation is greater than the predetermined amount of time

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(Abstract; Figs. 1-3; col. 1, lines 61-68, col. 2, lines 1-10, lines 35-51; col. 3, lines 13-68 and col. 4, lines 1-33).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include the teachings of Jones in the invention of Alexander et al. in order to provide an improved control panel for accessing and selecting among multiple key functions with a minimum of keystrokes (Jones, Abstract).

Horvitz et al. teach a system and method for displaying help information for use with a software program using a graphical user interface (col. 7, lines 20-47; col. 9, lines 19-28; col. 11, lines 16-25; col. 14, lines 27-32; col. 15, lines 40-49 and col. 26, lines 56-67). The system of Horvitz et al., which monitors user inputs, offers help when it determines that help is needed (col. 11, lines 12-25).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include the teachings of Horvitz et al. in the combination of Alexander et al. and Jones by coupling Horvitz's help-screen displaying function to Jones' multi-key function controller in order to provide a system that can continually check for user competencies and based on such competencies, change the assistance that is offered (Horvitz et al., Abstract).

As per claim 5, Alexander et al. teach: a measurement device for receiving one or more input signals and generating measurement information related to said input signals (Abstract; Figs. 1 and 2; col. 7, lines 3-23, lines 58-67 and col. 8, lines 1-45); a display coupled with the measurement device for displaying the measurement information (Abstract; Figs. 3A-3H; col. 8, lines 9-21 and col. 9, lines 49-68 and col. 10,

lines 1-3); a control panel having a plurality of keys each coupled with the measurement device for controlling a respective operation of the measurement device (Abstract; Fig. 1; col. 1, lines 66-67; and col. 2, lines 1-22).

Alexander et al. do not disclose: a controller coupled with the control panel and including a timer function for sensing duration of key activation during which a user activates a key of the plurality of keys of the control panel: wherein the controller initiates the respective operation of the measurement device in response to each key activation, when the duration of key activation is less than a predetermined amount of time: wherein the controller is coupled with the display for displaying help screen information in context of the respective operation of the measurement device in response to each key activation, when the duration of key activation is greater than the predetermined amount of time.

Jones teaches: a controller coupled with the control panel and including a timer function for sensing duration of key activation during which a user activates a key of the plurality of keys of the control panel (Abstract; Figs. 1-3; col. 1, lines 61-68, col. 2, lines 1-10, lines 35-51; col. 3, lines 13-68 and col. 4, lines 1-33); wherein the controller initiates the respective operation of the measurement device in response to each key activation, when the duration of key activation is less than a predetermined amount of time (Abstract; Figs. 1-3; col. 1, lines 61-68, col. 2, lines 1-10, lines 35-51; col. 3, lines 13-68 and col. 4, lines 1-33); wherein the controller is coupled with the display for displaying a set of menu labels and assign a function associated with a displayed menu label to a menu key, when the duration of key activation is greater than the

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predetermined amount of time (Abstract; Figs. 1-3; col. 1, lines 61-68, col. 2, lines 1-10, lines 35-51; col. 3, lines 13-68 and col. 4, lines 1-33).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include the teachings of Jones in the invention of Alexander et al. in order to provide an improved control panel for accessing and selecting among multiple key functions with a minimum of keystrokes (Jones, Abstract).

Horvitz et al. teach a system and method for displaying help information for use with a software program using a graphical user interface (col. 7, lines 20-47; col. 9, lines 19-28; col. 11, lines 16-25; col. 14, lines 27-32; col. 15, lines 40-49 and col. 26, lines 56-67). The system of Horvitz et al., which monitors user inputs, offers help when it determines that help is needed (col. 11, lines 12-25).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include the teachings of Horvitz et al. in the combination of Alexander et al. and Jones by coupling Horvitz's help-screen displaying function to Jones' multi-key function controller in order to provide a system that can continually check for user competencies and based on such competencies, change the assistance that is offered (Horvitz et al., Abstract).

As per claims 2 and 4, it would have been obvious to one having ordinary skill in the art at the time the invention was made that once the user received the needed assistance, the user would then employ the correct key or keys needed for the desired operation and deactivate the current key.

Contact Information

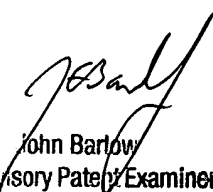
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xiuqin Sun whose telephone number is (703)305-3467. The examiner can normally be reached on 7:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (703)308-3126. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.

Xiuqin Sun
Examiner
Art Unit 2863

XS
XS


John Barlow
Supervisory Patent Examiner
Technology Center 2800